



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-ZIA-1
Track: Zia Park
Ruling Date: 10/28/2024

Licensee: BENN, LARENA A.
License Type: 2022 3 Year Owner Applicant Id: 34861
License Number: 304870

Ruling # 2024-ZIA-1
Action Type: Case Continued
Ruling:

RE: 2024-ZIA-1 - Case Continued

Owner Larena A Benn appeared via Microsoft Teams for a Summary Suspension Hearing on November 3, 2024, @ 10:00 a.m. with the Board of Stewards at Zia Park, 3901 W Millen Drive, Hobbs NM 88240 per 15.2.1.9 (B)(3)(b) Summary Suspension. The summary suspension was regarding her husband (Lynyel J Benn) being suspended for falsification of his license application. **Furthermore, the board of stewards determines that Larena A Benn shall remain summarily suspended pending the outcome of her husbands (Lynyel J Benn) case or show legal documentation of separation or divorce.**

In accordance with **15.2.1.9 (C)(21)**, **Owner Larena A Benn** is hereby excluded from all areas of the grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses **owned, trained, or under the care** of **Larena A Benn** are ineligible to be entered or start in any race in this jurisdiction, per **15.2.1.9 (C)(21)(c)**. All transfers and sales of horses **trained, owned, or in the care and custody** of **Larena A Benn** must be done in accordance **15.2.1.9(B)(8)(b) DUE PROCESS AND DISCIPLINARY ACTION.**

In accordance with 15.2.6.9 (A)(12)(a)(b)(c),

(a) first degree of affinity shall mean the licensee's spouse or spouse's mother, father, brother, sister, son or daughter.

(b) first degree of consanguinity shall mean the licensee's mother, father, brother, sister, son or daughter.

(c) No entry in any race shall be accepted for a horse owned wholly or in part by, or trained by, a person whose husband or wife is under license suspension at time of such entry; except that, if the license of a jockey has been suspended for a routine riding offense, the stewards may waive this rule.

Licensee is found in violation of and this ruling is written in accordance with:

15.2.1.9(B)(3)(a) Proceedings Before The Stewards: Summary Suspension If the Stewards determine that a licensee's action constitute an immediate danger to the public health, safety, or welfare, the Stewards may summarily suspend the licensee pending a hearing.

16.47.1.8 (L)(1)(g) has had or is currently excluded from association grounds by a recognized racing jurisdiction;

(i) Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license The commission may refuse to issue a license to an applicant, or may suspend or revoke a license issued, or order disciplinary measures, if the applicant is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a



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Ruling #: **2024-ZIA-1**
Track: Zia Park
Ruling Date: 10/28/2024

Licensee: BENN, LARENA A.

License Type: 2022 3 Year Owner Applicant Id: 34861
License Number: 304870

defense to the imposition of discipline under this rule.

By Order of The Zia Park Stewards

Stephy Wayles



New Mexico Racing Commission
4500 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-ZIA-2
Track: Zia Park
Ruling Date: 11/2/2024

Licensee: RIVERA, ALI ARAHAM
License Type: 2023 3 Year Jockey Applicant Id: 165987
License Number: 310999

Ruling # 2024-ZIA-2

Action Type: Initial Ruling

Ruling:

Jockey **Ali Rivera** having his agent appeared telephonically before Zia Park Board of Stewards on November 2, 2024, for failure to honor or and be excused from his riding engagement for the 1st race on Saturday November 29, 2024, at ZIA Park Racetrack.

For this violation, the Board of Stewards assess jockey **Ali Rivera** a fine in the amount of Two Hundred and Fifty dollars, \$250.00. The fine is to be paid on or before November 16, 2024, in accordance with 15.2.3.8 (B) (3) (1). Failure to pay the fine within the time prescribed shall result in immediate suspension.

Licensee is found to be in violation of:

15.2.5.13 (C)(1) (3) Jockey requirements: (1) Jockeys shall report to the jockeys' quarters at the time designated by the association. Jockeys shall report their engagements and any overweight to the clerk of scales. Jockeys shall not leave the jockeys' quarters, except to ride in scheduled races, until all their riding engagements of the day have been fulfilled except as approved by the stewards.

(3) Except as otherwise provided by this subsection, a jockey engaged for a certain race or for a specified time may not fail or refuse to abide by the engagement agreement, unless excused by the stewards. Failure to fulfill riding engagements may result in disciplinary action.

This ruling is written in accordance with:

15.2.1.9(B)(4)(A) NMAC Notice Except as provided by these rules regarding summary suspension, jockey riding infractions and trial races, the stewards or a racing commission designee shall provide written notice, at least 10 days before the hearing, to a person who is the subject of a disciplinary hearing. The person may waive their right to 10 days' notice by executing a written waiver.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

15.2.3.8 B (3)(A) Stewards Disciplinary Action

15.2.3.8 B (1) (d) Stewards General Authority

16.47.1.8. T. KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

16.47.1.8(N) Last Known Address

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400. The fee must be in the form of a cashier's check, money order." **The last day to file an appeal is November 12, 2024.**

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New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-3**
Track: Zia Park
Ruling Date: 11/4/2024

Licensee: **SUGAMOSTO, RONALD LOUIS**
License Type: **2023 3 Year Owner** Applicant Id: **25609**
License Number: **307743**

Ruling # 2024-ZIA-3
Action Type: Initial Ruling
Ruling:

Owner Ronald Sugamosto having trainer (Ramon Mendoza) Represent him and been duly notified and waving his 10 day notice before the ZIA Park Board of Stewards on November 3rd, 2024 regarding a medication violation on September 27th, 2024, NMSF/DAA Racetrack, involving the second-place finisher of the 5th race, "Razor Sharp", for Flunixin, a Class 4 Penalty C drug, found in blood sample #E537834, confirmed by Industrial Laboratories (the official lab for the NMRC). at 17.9ng/mL. The measurement uncertainty of the method is 0.58 ng/ml at the threshold of 5 ng/mL. Owner Ronald Sugamosto was offered a split sample and declined

Mr. Ramon Mendoza was the trainer of record for "Razor Sharp".
In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS,
This is Owner Ronald Sugamosto first Class 4C medication violation in a 365-day period.
The ZIA Park Board of Stewards hereby issue the following penalty:

The purse redistribution is as follows:

- 1) Ruse Jumpn
- 2) Space Cowboy 123
- 3) Duck Dynastee
- 4) Watch Me Now Watchme
- 5) Ketzal
- 6) Coronas Gunsmoke
- 7) Teller Reason Mrl

"Razor Sharp" is hereby disqualified and unplaced for all but pari-mutuel wagering purposes. The horse "Razor Sharp" must pass a commission approved examination before being eligible to enter.

Licensee is found to be in violation of and this ruling is written in accordance with NMAC:
15.2.3.8(B)(1)(3)(f)(g)(j) Stewards :15.2.6.9(C)(1) Medication Restrictions: 15.2.6.9(F)Permissible:
15.2.6.9 NMAC Attachment 2/ Medications with Acceptable Levels 15.2.6.9(B)(4) Penalty
Recommendations: 15.2.3.8(B)(3)(k) Redistribution of Prizes: 15.2.5.13(E)(4)(d) NMAC
15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00. The fee must be in the form of a cashier's check, money order." The last day to file an appeal: November 14, 2024

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-ZIA-4
Track: Zia Park
Ruling Date: 11/4/2024

Licensee: MENDOZA, RAMON
License Type: 2021 3 Year Trainer Applicant Id: 159104
License Number: 303429

Ruling # 2024-ZIA-4
Action Type: Initial Ruling
Ruling:

Trainer Ramon Mendoza having been duly notified appeared before The ZIA Park Board of Stewards on November 3, 2023, and waived his right to a formal hearing, regarding a lab report from Industrial Laboratories (The official testing laboratory for the NMRC), for a confirmed positive for the drug, Flunixin (class 4 C penalty drug) found in test sample E537834 taken from the 2nd place finisher "Razor Sharp" following the 5th race, at NMSF/DAA Racetrack on September 27, 2024.

The original lab report indicated a finding of Flunixin at 17.9 ug/ml +/-0.04 ug/ml in the blood, the allowable limit for Flunixin is 5 ng/ml in the blood for a 4-C violation (15.2.6.9 Attachment 2).

Split sample rights as provided in 15.2.6.10 (D) NMAC, were afforded to the trainer, and declined by trainer.

Ramon Mendoza is the Trainer of record for horse "Razor Sharp" at the time of the violation.

This is Ramon Mendoza's first 4C-Major medication violation, in a 365-day period, issued in accordance with 15.2.6.9 (B)(4). The Board of Stewards assessed a penalty as follows:

Aggravating circumstances:

1. The allowable limit for Flunixin is 5 ng/ml, the horse "Razor Sharp" tested positive at a level of 17.9 ng/m Threshold of 5ng/ml.

Mitigating circumstances:

This is trainer Ramon Mendoza's first violation of this classification in 365 days.

The Board of Stewards hereby assess the following penalty.:

- 1) A fine of One Thousand Dollars (\$1000.00) which must be paid on or before November 18, 2024. Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule 15.2.1.9: A(7)(f) All fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.
- 2) Ramon Mendoza has accumulated "0" points prior to this ruling and "0.5" points in connection with this ruling for a current total of "0.5" under the multiple medication violation point system.

Licensee is found in violation of and this ruling is written in accordance with: 15.2.3.8(B)(1)(3)(f) (g)(j) Stewards/ 15.2.6.9(C)(1)(4) Medication Restrictions/15.2.6.9. 15.2.6.11(A)Trainer Responsibility/ 16.47.1.8(T)Knowledge of the Rules/ 16.47.1.8(U)(1) Protection of Horses/ 16.47.1.10(B)(1)(2)(3) Absolute Insurer/ 15.2.6.9(B)Penalty Recommendations.



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Ruling #: **2024-ZIA-4**
Track: Zia Park
Ruling Date: 11/4/2024

Licensee: MENDOZA, RAMON

License Type: 2021 3 Year Trainer Applicant Id: 159104
License Number: 303429

15.2.1.9(b): Which states in pertinent part that Appeal Procedures An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400. The fee must be in the form of a money order or cashier's check. **Last date for appeal is November 14, 2024.**

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-5**
Track: Zia Park
Ruling Date: 11/4/2024

Licensee: SALAZAR, EVERETT F
License Type: 2023 3 Year Owner Applicant Id: 24706
License Number: 309213

Ruling # 2024-ZIA-5
Action Type: Initial Ruling
Ruling:

Owner Everett F Salazar was duly notified waived his disciplinary hearing before the NMRC Board of Stewards at 9:55 a.m. on November 4, 2024, regarding a confirmed positive test for Albuterol, a Class 3, Penalty A drug, by Industrial Laboratory, the official laboratory of the NMRC, for sample #E547624 (Urine) on the horse "Betsy Bet" placed 1st in the 8th race held at NMSF/DAA on September 6, 2024.

Split sample testing rights were afforded to trainer Jesus E Marquez and owner Everett F Salazar both declined.

Mr. Jesus E Marquez was the trainer of record on September 6, 2024, for "Betsy Bet".

Given the evidence presented, Everett F Salazar is found to be in violation of the following Commission Rules:

Rule 15.2.6.9(C)(1)(4) Medication Restrictions; no permissible levels of Albuterol;

Rule 16.47.1.8(U) Protection of Horses.

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS, this is Owner Everett F Salazar first Class 3 Penalty A medication violation in a 365-day period.

The NMRC Board of Stewards hereby issue the following penalty:

Pursuant to Rule 15.2.5.13(E)(4)(d), "Betsy Bet" is disqualified and unplaced for all but pari-mutuel wagering purposes. Pursuant to Rule 15.2.5.14(D)(7), the purse redistribution is as follows:

- 1) Patriot Ace
- 2) River Rock
- 3) Devyn Lynn
- 4) Grs Streaker Daddy
- 5) Moreversions
- 6) Bersano
- 7) Jess King Max
- 8) The Kid Can Fly
- 9) Zoomer Rocket Jesse

Unplaced: Betsy Bet

The horse "Betsy Bet" is placed on the Commission Veterinarian's list for 180 days beginning November 4, 2024, through April 30, 2025, and must pass a Commission approved examination before being eligible to enter, which shall include providing negative results in both a blood and hair sample done under the supervision and authority of the New Mexico Racing Commission. In the event an appeal is pursued from this Ruling, the horse "Betsy Bet" shall remain on the Stewards' List until such time as the case is fully adjudicated.

This Ruling is written in accordance with the following Commission Rules:

Rule 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards General Authority;



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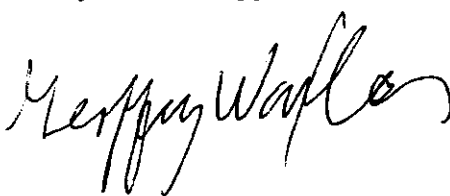
Ruling #: **2024-ZIA-5**
Track: Zia Park
Ruling Date: 11/4/2024

Licensee: SALAZAR, EVERETT F
License Type: 2023 3 Year Owner Applicant Id: 24706
License Number: 309213

Rule 15.2.1.9(B)(3)(a-k) Due Process and Disciplinary Action;
Rule 15.2.6.9(B) Penalty Recommendations;
Rule 15.2.3.8(B)(3)(j) Purse, prize redistribution.
Rule 15.2.5.13(E)(4)(d) Unplacing, purse redistribution.
15.2.6.9(B)(4) Penalty Recommendations:

Licensee's right to appeal: Rule 15.2.1.9(B)(9)(b) states in pertinent part "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00. The fee must be in the form of a cashier's check, money order."

The last day to file an appeal: November 14, 2024.


By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-ZIA-6
Track: Zia Park
Ruling Date: 11/5/2024

Licensee: MIDDLETON, GOLDBOURNE ALLAN
License Type: 2022 3 Year Trainer Applicant Id: 22734
License Number: 303931

Ruling # 2024-ZIA-6
Action Type: Initial Ruling
Ruling:

Trainer Allen Middleton having appeared telephonically before the Board of Stewards at the Zia Park Racetrack on November 5, 2024, and having waived his right to a 10 day notice and formal hearing for failure to have a current Coggins certificate with in 30 days of arrival on file in the racing office for the horse "Crossfire Cowgirl" for the 8th race on November 15, 2024 at Zia Park Race Track which resulted in a late scratch.

The Board of Stewards hereby assess the following penalty:
1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 19, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:
15.2.5.12 (B)Horses Ineligible
15.2.5.12.(B)(12) there is no current negative test certificate for equine infectious anemia on file with the racing office, as required by the commission.

This ruling in written in accordance with NMAC:
15.2.1.9 A (4)(c) Last Known Address
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(A) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T Knowledge Of Rules
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required
15.2.1.9(B)(9)(b): Appeal Procedures, Which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order". The last day to file is November 15, 2024.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-ZIA-7
Track: Zia Park
Ruling Date: 11/5/2024

Licensee: MARTINEZ, EDWIN ABRAHAM
License Type: 2022 3 Year Trainer Applicant Id: 46015
License Number: 304092

Ruling # 2024-ZIA-7
Action Type: Initial Ruling
Ruling:

Trainer Edwin Martinez having appeared telephonically before the Board of Stewards at the Zia Park Racetrack on November 5, 2024, and having waived his right to a 10 day notice and formal hearing for failure to have a proper paper work (health certificate) upon arrival to Zia Park Race Track and not getting pre-race exam for Piney Bluff in the 5th race on November 5, 2024 at Zia Park Race Track which resulted in a late scratch.

The Board of Stewards hereby assess the following penalty:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 19, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:

15.2.3.8(O)(3)(k) FLAT RACING OFFICIALS GENERAL PROVISIONS. O-Racing veterinarian:
15.2.6.12(A)(1)(2)(4)(5)(9) PHYSICAL INSPECTION OF HORSES:

This ruling is written in accordance with NMAC:

15.2.1.9 A (4)(c) Last Known Address
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(A) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T Knowledge Of Rules
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required

15.2.1.9(B)(9)(b): Appeal Procedures, Which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order". The last day to file is November 15, 2024.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-8**
Track: Zia Park
Ruling Date: 11/5/2024

Licensee: **MARTINEZ, EDWIN ABRAHAM**
License Type: **2022 3 Year Trainer** Applicant Id: **46015**
License Number: **304092**

Ruling # 2024-ZIA-8
Action Type: Initial Ruling
Ruling:

Trainer Edwin Martinez having appeared telephonically before the Board of Stewards at the Zia Park Racetrack on November 5, 2024, and having waived his right to a 10 day notice and formal hearing for failure to have a proper paper work (health certificate) upon arrival to Zia Park Race Track and not getting pre-race exam for **Danjerus Storm** in the 8th race on November 5, 2024 at Zia Park Race Track which resulted in a late scratch.

The Board of Stewards hereby assess the following penalty:

1. A fine of Five Hundred Dollars (\$500.00) which must be paid on or before November 19, 2024, in accordance with NMAC 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time may result in immediate suspension. Pursuant to Rule NMAC 15.2.1.9 A(7)(f) all fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

Licensee is found to be in violation of NMAC:

15.2.3.8(O)(3)(k) FLAT RACING OFFICIALS GENERAL PROVISIONS. O-Racing veterinarian:
15.2.6.12(A)(1)(2)(4)(5)(9) PHYSICAL INSPECTION OF HORSES:

This ruling is written in accordance with NMAC:

15.2.1.9 A (4)(c) Last Known Address
15.2.3.8 B (3)(f) Stewards Disciplinary Action
15.2.3.8 B (3)(A) Stewards Disciplinary Action
15.2.3.8 B (1) (d) Stewards General Authority
16.47.1.8. T Knowledge Of Rules
16.47.1.3 Statutory Authority
16.47.1.8 (A)(1) License Required
16.47.1.8 (A)(2) License Required

15.2.1.9(B)(9)(b): Appeal Procedures, Which states "An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier's check or a money order". The last day to file is November 15, 2024.

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-9**
Track: Zia Park
Ruling Date: 11/10/2024

Licensee: **STUTES, JR PAUL FLOYD**
License Type: **2023 1 Year Starter** Applicant Id: **96586**
License Number: **310697**

Ruling # 2024-ZIA-9
Action Type: Initial Ruling
Ruling:

Starter **Paul Stutes** having been duly notified and having appeared before the Board of Stewards at Zia Park on November 10, 2024, waived his right to a 10-day notice and formal hearing regarding having the gates set at 350 yards for race 3 and should have been set at 300 yards.

Licensee is found to be in violation of NMAC:

16.47.1.8(L)(i). Grounds for disciplinary measures for a licensee, and refusal, denial, suspension, or revocation of a license:

(i) is a person whose conduct or reputation may adversely reflect on the honesty and integrity of horse racing or interfere with the orderly conduct of a race meeting; interfering with the orderly conduct of a race meeting shall include, but is not limited to, disruptive or intemperate behavior or behavior which exposes others to danger anywhere on the racetrack grounds; the fact that the race meet was not actually interrupted is not a defense to the imposition of discipline under this rule;.

For this violation the Board of Stewards assess the following penalty:

A fine of Five Hundred Dollars (\$500.00) which must be paid on or before **November 24, 2024**, in accordance with 15.2.3.8 (B)(3)(e)(i). Failure to pay the fine within the prescribed time shall result in an immediate suspension. Pursuant to Rule 15.2.1.9 (A)(7)(f) All fines imposed by the stewards shall be paid to the commission within 14 days after the ruling is issued, unless otherwise ordered.

This notice is written in accordance with the following Commission Rules NMAC:

- 15.2.1.8 (B)(1)(2) Commission General Authority
- 15.2.3.8 (B)(3)(a)(f) Stewards Disciplinary Action
- 15.2.3.8 (B)(1)(a)(b)(c) Stewards General Authority
- 15.2.1.9 (A)(4)(c) Last Known Address
- 16.47.1.8 (T) Knowledge of Rules
- 16.47.1.3 Statutory Authority
- 16.47.1.3.(L)(1)(f)(i)
- 16.47.1.6.(A)(1)(2) License Required
- 16.47.1.8. (N) Changes in Application Information

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is



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Albuquerque, NM 87113

Ruling #: **2024-ZIA-9**
Track: Zia Park
Ruling Date: 11/10/2024

Licensee: STUTES, JR PAUL FLOYD

License Type: 2023 1 Year Starter Applicant Id: 96586
License Number: 310697

not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400. The fee must be in the form of a cashier's check or money order." The last day to file an appeal is **November 20, 2024.**

Muffy Waffle
Whitabel
By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-10**
Track: Zia Park
Ruling Date: 11/11/2024

Licensee: **FOURNIER, ROBERTO FARID**
License Type: 2022 3 Year Trainer Applicant Id: 32350
License Number: 304162

Ruling # 2024-ZIA-10

Action Type: Initial Ruling

Ruling:

Trainer Roberto Fournier, was duly notified and appeared before the Board of Stewards at Zia Park Race Track on November 10, 2024 regarding a medication violation which occurred on September 6, 2024, at The Downs at Albuquerque involving the Second-place finisher, "Jess Daddys Girl", of the 6th race, testing positive for 3-hydroxylidocaine, a Class 2 Penalty B drug, found in Blood sample #E547621, confirmed by Industrial Laboratories (the official laboratory for the NMRC).

Split Sample rights were afforded to trainer Roberto Fournier and the owner, Juan Poblano. And was declined.

This hearing involves the following Commission Rules, whether Mr. Roberto Fournier has violated any such Rules and, if so, whether a penalty or other disciplinary action should be imposed upon him as a result:

Rule 15.2.6.9(C)(1)(4)(8)(9)(a)(c) Medication Restrictions

Rule 15.2.6.11 Trainer Responsibility

Rule 16.47.1.8(T) Knowledge of Rules

Rule 16.47.1.8(U) Protection of Horses

Rule 16.47.1.10(B) Absolute Insurer

At the hearing, Mr. Roberto Fournier did not challenge either the testing process or the laboratory results.

Aggravating factors:

1. Mr. Fournier did not know who hauled the horse to The Downs of Albuquerque racetrack to run.
2. Mr. Fournier was not present to saddle his horse for the race and can not recall who did saddle the horse.
3. Mr. Fournier did not have care and custody of his horse.

After hearing the facts of the case and testimony and considering the aggravating factor, The ZIA Park Board of Stewards determined the following:

For this violation (First offense in a 365-day period), the following penalties are imposed:

1. Mr. Roberto Fournier is hereby fined \$1,000.00 (One-Thousand Dollars). The fine is to be paid on or before November 24, 2024, in accordance with Rule 15.2.1.9(A)(7)(f). Failure to pay the fine in the prescribed time shall result in an immediate suspension.
2. Mr. Roberto Fournier shall have his trainer's license suspended for a period of sixty (60) days. The



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-10**
Track: Zia Park
Ruling Date: 11/11/2024

Licensee: **FOURNIER, ROBERTO FARID**
License Type: **2022 3 Year Trainer** Applicant Id: **32350**
License Number: **304162**

term of suspension shall start November 10, 2024, and run through January 9, 2025.

3. Mr. Roberto Fournier has accumulated “0” points prior to this infraction and “6” points in connection with this Ruling for a current total of “2” points under the multiple medication violation point system.

In accordance with Rule 15.2.1.9(B)(21), Mr. Roberto Fournier will be excluded from all areas and grounds under the jurisdiction of the NMRC. Additionally, effective upon applicable suspension dates, all horses owned, trained, or under the care of Mr. Roberto Fournier are ineligible to be entered or start in any race in this jurisdiction, per Rule 15.2.1.9(B)(21)(c). All transfers and sales of horses trained, owned, or in the care and custody of Mr. Roberto Fournier must be done in accordance with Rule 15.2.6.9(A)(13)(a)(b).

This Ruling is written in accordance with the following Commission Rules:

- Rule 15.2.3.8(B)(1)(3)(f)(g)(j) Stewards General Authority;
- Rule 15.2.1.9(B)(3)(a-k) Due Process and Disciplinary Action;
- Rule 15.2.5.12 (B)(1) Horse Ineligibility;
- Rule 15.2.5.13(E)(4)(d) Running of the Race; Disqualification;
- Rule 15.2.6.9(C)(1)(3) Medication Restrictions;
- Rule 15.2.6.9(B) Penalty Recommendations;
- Rule 15.2.6.11(A) Trainer Responsibility;
- Rule 16.47.1.3 Statutory Authority;
- Rule 16.47.1.8 (A)(1)(B) (1) a through (e)(2)(3)(a thru k) License Required;
- Rule 16.47.1.8 (A)(2) License Required;
- Rule 16.47.1.8 U (1) Protection of horses;
- Rule 16.47.1.10 B (1-3) Absolute Insurer.

15.2.1.9(b): Which states in pertinent part that Appeal Procedures, states “An appeal under this section must be filed not later than 10 days after the day of the ruling. If the deadline falls on a Sunday or a legal holiday, the period is extended to the next day that is not a Saturday, Sunday, or legal holiday. The appeal must be received by noon at the main commission offices or with the Stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00 dollars. The fee must be in the form of a cashier’s check or a money order.

The last day to file an appeal is November 20, 2024.



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-11**
Track: Zia Park
Ruling Date: 11/10/2024

Licensee: POBLANO, JUAN ERNESTO
License Type: Owner Applicant Id: 35356
 License Number: 306484

Ruling # 2024-ZIA-11

Action Type: Initial Ruling

Ruling:

Owner Juan Poblano having been duly notified and appeared before the Board of Stewards at Zia Park Racetrack on November 10th, 2024 regarding a medication violation on September 6th, 2024, at The Downs of Albuquerque Racetrack, involving the second-place finisher of the 6th race, "Jess Daddys Girl", for 3-hydroxylicocaine, a Class 2 Penalty B drug, found in blood sample #E547621, confirmed by Industrial Laboratories (the official lab for the NMRC). at 120 pg/ml the measurement uncertainty of the method is 2.6 pg/ml at the threshold of 20 pg/ml.

Owner Juan Poblano was offered a split sample and declined

Mr. Roberto Fournier was the trainer of record for "Jess Daddys Girl".

In accordance with Rule 15.2.6.9(B)(4) PENALTY RECOMMENDATIONS,

This is Owner Juan Poblano first Class 2B medication violation in a 365-day period.

The ZIA Park Board of Stewards hereby issue the following penalty:

The purse redistribution is as follows:

- 1) A Flashin Corona
- 2) Long Branch
- 3) Daddys Prized Doll
- 4) Ransome Chic
- 5) El as de Oros Gr
- 6) Rhocket
- 7) Get Up and Go
- 8) Daddyslitlecowgirl

" Jess Daddys Girl " UNPLACED

"Jess Daddys Girl" is hereby disqualified and unplaced for all but pari-mutuel wagering purposes. The horse "Jess Daddys Girl" must pass a commission approved examination before being eligible to enter.

Licensee is found to be in violation of and this ruling is written in accordance with NMAC:

15.2.3.8(B)(1)(3)(f)(g)(j) Stewards :15.2.6.9(C)(1) Medication Restrictions: 15.2.6.9(F)Permissible:

15.2.6.9 NMAC Attachment 2/ Medications with Acceptable Levels 15.2.6.9(B)(4) Penalty

Recommendations: 15.2.3.8(B)(3)(k) Redistribution of Prizes: 15.2.5.13(E)(4)(d) NMAC

15.2.1.9(b): Which states in pertinent part that "An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at the main commission offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400.00. The fee must be in the form of a cashier's check, money order." The last day to file an appeal: November 24, 2024



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: 2024-ZIA-11
Track Zia Park
Ruling Date: 11/10/2024

Licensee: POBLANO, JUAN ERNESTO

License Type: Owner

Applicant Id: 35356

License Number: 306484

By Order of The Zia Park Stewards



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-12**
Track: Zia Park
Ruling Date: 11/11/2024

Licensee: **STINEBAUGH, ZACKARY PRESTON**
License Type: **2023 3 Year Trainer** Applicant Id: **157754**
License Number: **308317**

Ruling # 2024-ZIA-12

Action Type: Initial Ruling

Ruling:

Trainer, Zackary Stinebaugh having been properly summoned and having waived his right to a 10-day notice and formal disciplinary hearing over the phone on November 10, 2024 for entering an ineligible horse "Kung Fu King" in the 10th race on November 10, 2024 which necessitated a late scratch at Zia Park,

(Texas Claim Rule Sec. 313.308. Restrictions on Subsequent Use (a) A horse claimed in a claiming race in Texas

1. May not be sold or transferred in whole or part, by any method other than a claiming race during the 30-day period after the initial claim;
2. **And is ineligible to start in a race meeting other than the one at which it was claimed until the end of the meeting at which the horse was claimed, except in a stakes race after verification by the board of stewards.**

For this violation, the Board of Stewards assess the following penalty:

1. A fine in the amount of Five Hundred Dollars (\$500.00). The fine is to be paid on or before November 25, 2024. Failure to pay the fine within the prescribed time shall result in an immediate suspension. Pursuant to Rule 15.2.1.9 A(7)(f) NMAC. All fines imposed by the stewards may be paid to the commission within 14 days after the ruling is issued, unless otherwise noted, in accordance with Rule 15.2.3.8 (B)(3)(e)(i),

Licensee is found to be in violation of:

15.2.5.8 (B)(7) Procedure for Entering: The person making an entry shall clearly designate the horse so entered.

16.47.1.10 (C)(17) (18) Trainer Responsibility: The trainer is responsible for representing an owner in making entries and scratches and in all other matters pertaining to racing; horses entered as to eligibility and weight or other allowances claimed.

This ruling is written in accordance with:

15.2.1.9 A (4)(c) Last Known Address

15.2.3.8 B (1) (a-e) Stewards General Authority.

15.2.3.8 B (3) (a & e) Stewards Disciplinary Action.

15.2.3.8 B (3)(f) Stewards Disciplinary Action

16.47.1.8. (T) KNOWLEDGE OF RULES:

16.47.1.3 Statutory Authority

16.47.1.8 (A)(1) License Required

16.47.1.8 (A)(2) License Required

15.2.1.9. (b) An appeal under this section must be filed not later than 10 days after the date of the ruling. If the deadline falls on a Saturday, Sunday or legal holiday, the period is extended to include the next day that is not a Saturday, Sunday or legal holiday. The appeal must be received by noon, at



New Mexico Racing Commission
4900 Alameda NE
Albuquerque, NM 87113

Ruling #: **2024-ZIA-12**
Track: Zia Park
Ruling Date: 11/11/2024

Licensee: STINEBAUGH, ZACKARY PRESTON
License Type: 2023 3 Year Trainer Applicant Id: 157754
License Number: 308317

the main commission 15.2.1 NMAC 14 offices or with the stewards who issued the ruling and must be accompanied by a fee in the amount of \$400. The fee must be in the form of a money order, cashier's check or a corporate check. Last date of appeal: Last date of appeal **November 21, 2024.**

By Order of The Zia Park Stewards